

Approved 9/2/08  
Minutes of August 4, 2008

SELECTMEN'S MEETING  
MONDAY, August 4, 2008 7p.m.  
H. BERNARD MONAHAN MEMORIAL ROOM  
TOWN HALL, 242 UNION STREET  
ROCKLAND, MASSACHUSETTS

7 p.m.

1. PLEDGE OF ALLEGIANCE  
MOS In Memory of Officer Richard Schwerin

**A. MINUTES**

Mr. Zupkofska made a public records request for all executive minutes on tonight's agenda. He stated he had been in touch with the Public Records Office and once a request for the tapes is made they should not be destroyed.

Mr. Chiocca handed out the printed document regarding destruction of public records from the Secretary of State website. Mr. Chiocca stated he did not release the tapes to be copied nor does he believe duplicates should be made. Discussion continued and the tapes requested should be saved until all matters are settled and the Board can make future decisions.

2. **Executive Session- September 4, 2007-Motion** to approve, not to be released until all matters have been settled by Mr. Zupkofska, 2nd by Mr. Chaffee. Yeas 2 Zupkofska and Chaffee, Abstentions 3 Simpson, Johnson and O'Brien.

**Executive Session- October 15, 2007-Motion** to approve, not to be released until all matters have been settled by Mr. Zupkofska, 2nd by Mr. Chaffee. Yeas 3 Simpson, Zupkofska and Chaffee, Abstentions 2, Johnson and O'Brien.

**Executive Session- October 22, 2007-Motion** to approve, not to be released until all matters have been settled by Mr. Chaffee, 2nd by Mr. Simpson. Yeas 2 Simpson and Chaffee, Abstentions 3 Zupkofska, Johnson and O'Brien.

**Executive Session- November 5, 2007-Motion** to approve, not to be released until all matters have been settled by Mr. Chaffee, 2nd by Mr. Simpson. Yeas 2 Simpson and Chaffee, Abstentions 3 Zupkofska, Johnson and O'Brien.

**Executive Session-November 19, 2007- removed** -Previously approved 3/17/08

**Executive Session- November 26, 2007-Motion** to approve, not to be released until all matters have been settled by Mr. Chaffee, NO 2nd Mr. Zupkofska thought minutes were inaccurate. Chairman Simpson asked Mr. Chiocca to review the tapes to the minutes.

**Executive Session- December 3, 2007-Motion** to approve, not to be released until all matters have been settled by Mr. Chaffee, NO 2nd Mr. Zupkofska thought minutes were inaccurate. Chairman Simpson asked Mr. Chiocca to review the tapes to the minutes.

3.

**Executive Session- January 22, 2008-Motion** to approve, not to be released until all matters have been settled by Mr. Chaffee, 2nd by Mr. Simpson. Yeas 2 Simpson and Chaffee, Abstentions 3 Zupkofska, Johnson and O'Brien. Mr. Zupkofska thought he was at the meeting and asked Mr. Chiocca to check the tapes to see if Mr. Zupkofska was present.

**Executive Session- February 4, 2008-Motion** to approve, not to be released until all matters have been settled by Mr. Zupkofska, 2nd by Mr. Chaffee. Yeas 3 Simpson, Zupkofska and Chaffee, Abstentions 2 Johnson and O'Brien.

**Executive Session- March 17, 2008-Motion** to approve, not to be released until all matters have been settled by Mr. Zupkofska, 2nd by Mr. Chaffee. Yeas 3 Simpson, Zupkofska and Chaffee, Abstentions 2 Johnson and O'Brien.

**Executive Session- April 7, 2008-Motion** to approve, not to be released until all matters have been settled by Mr. Zupkofska, 2nd by Mr. Chaffee. Yeas 3 Simpson, Zupkofska and Chaffee, Abstentions 2 Johnson and O'Brien.

**Executive Session- June 16, 2008(1) -Motion** to approve, not to be released until all matters have been settled by Mr. Chaffee, 2nd by Ms. O'Brien. Yeas 4 Chaffee, Simpson, Johnson and O'Brien, Abstentions 1 Zupkofska

**Executive Session- June 16, 2008 (2)-Motion** to approve, not to be released until all matters have been settled by Mr. Chaffee, 2nd by Ms. O'Brien. Yeas 5 Chaffee, Simpson, Johnson, O'Brien and Zupkofska

Mr. Chiocca reported all Executive Session minutes are now completed with the exception of the minutes held tonight. He also reported the Selectman's Office has been open Friday afternoon since the beginning of the fiscal year.

There was discussion as to how Mary Stewart was being compensated to try and catch up with the regular meeting minutes. Mr. Chiocca will report back to the BOS.

## **B. UNFINISHED BUSINESS**

4. **Modern Locale, Underground Tanks- increased storage capacity**  
No vote required. The Fire Department and State Fire Marshall Office oversees the underground tanks. Ms. O'Brien was concerned at last meeting with the presented drawing showing fencing where it shouldn't be. All matters resolved.
5. **Ambulance Fee Abatements and Policies**  
Town Accountant Eric Hart made a presentation to the BOS regarding abatements of past outstanding ambulance receipts from 1996 to 2006 in the amount of \$2,087,469.90. Mr. Hart also recommended the annual abatement schedule be approved during ensuing years. Mr. Chaffee explained the five main reasons the money was uncollectible were Individuals had no insurance and were unable to pay, individuals were deceased, individuals insurance coverage did not include ambulance fees, limits to Medicare/Medicaid reimbursements and individuals had moved.

**Motion** by Mr. Zupkofska 2<sup>nd</sup> by Ms. O'Brien to abate the outstanding ambulance fees from 1996 through 2006 in the amount of \$2,087,469.90. Approved 5-0.

**Motion** by Mr. Chaffee 2<sup>nd</sup> by Ms. O'Brien to established annual abatement schedule as recommended by Mr. Hart and Ambulance fee study committee. Approve 5-0

6. **Massachusetts Recycles Paper Endorsement**

Rudy Childs of the South Shore Recycling Committee made s presentation to the BOS seeking an endorsement of promoting recycling. The Proclamation was read by Chairman Simpson and endorsed by the BOS 5-0.

C. **NEW BUSINESS**

12. **Invitation from Hanover**

The BOS accepted an invitation from the Hanover BOS to attend a joint meeting of 5 area communities Boards of Selectmen and Town Administrators on August 21, 2008. The BOS indicated they would attend, Mr. Chiocca should notify Hanover and post the meeting.

13. **Appointments and Reappointments, Committee Vacancies**

Mr. Chiocca indicated vacancies currently exist on the Planning Board, Capital Planning Committee, Energy Committee, and Rent Control Board,

a. **Cultural Council** Kathleen Folino Motion by Mr. Zupkofska, 2<sup>nd</sup> by Mr. Johnson to appoint Kathleen Folino *approved 5-0*

b. **Educational Fund Committee-Requested Volunteers** (Art.43 of 07)

Mr. Chiocca told to notify the Superintendent of opening. And check if tax bills are ready to accept check off. 4 openings

c. **Taxation Aid Committee-** Requested Volunteers (Art. 44 of 07) Mr. Chiocca to notify Chairman of the Board of Assessors and Treasurer. 3 vacancies.

d. **SSTDC-** two applications for vacancy Gerald Eramo and Charles Kimball. Mr. Chiocca to provide requirement by-laws to applicants Motion by Mr. Zupkofska to Table due to Mr. Eramo's absence. Mr. Kimball spoke and said he is very interested in the position. Motion to table by Mr. Zupkofska 2<sup>nd</sup> by Ms. O'Brien passed 4 to 1 Chaffee opposed.

e. **Chief Procurement Officer** –Allan R. Chiocca. Motion by Mr. Zupkofska 2<sup>nd</sup> by Mr. Chaffee approved 5-0.

**14. Rokie's Bar & Grille-Hearing Liquor License**

Motion to open hearing by Mr. Chaffee 2<sup>nd</sup> by Mr. Zupkofska approved 5-0. Presentation made by Rosemarie Bearegard to the BOS for new liquor license to Rokie's Bar and Grille at the site of previous Saddle Sore's. Motion to close hearing by Chaffee 2<sup>nd</sup> by Mr. Zupkofska approved 5-0. Motion to approve by Chaffee 2<sup>nd</sup> by Mr. Zupkofska to approve Liquor License subject to TIPS training certificates, passed 5-0

**'15. Cote' Maison-Hearing Liquor License Transfer**

Motion to open hearing by Mr. Chaffee 2<sup>nd</sup> by Mr. Zupkofska approved 5-0. Atty. David Manoogian presented transfer request to the BOS. Motion to close hearing by Chaffee 2<sup>nd</sup> by Mr. Zupkofska approved 5-0. Motion to approve by Chaffee 2<sup>nd</sup> by Mr. Zupkofska approved 5-0

**16. M & S Auto Repair-Class II License**

Motion to open hearing by Mr. Zupkofska 2<sup>nd</sup> by Mr. Chaffee approved 5-0. Motion to close hearing by Mr. Zupkofska 2<sup>nd</sup> by Mr. O'Brien approved 5-0. Motion to approve license application by Mr. Zupkofska 2<sup>nd</sup> by Mr. Johnson approved 5-0.

**17. Rockland Energy Committee Update & Report**

Excellent presentation by the Energy Committee to the BOS

**D. Town Administrator's Report**

**25. DEP/Beech Street Mowing –Tractor**

Read a letter from Janice McCarthy thanking Bob Corvi and all the Highway Department for their help clearing up issue at the compost area at Beech St.

Update provided by Mr. Chiocca regarding Rockland's obligation to cut the vegetation by the Beech St Landfill twice a year. Mr. Chiocca informed the BOS he was working with the Park Department to arrange for the Park Dept to cut the Landfill rather than sending \$7000 per year or more each year for the next 20 years. The Park Department will use the \$7000 to supplement it's budget and purchase a tractor appropriate for the cutting with attachments to allow additional year round uses for the proposed tractor. The Park Department will Bid the new tractor.

**26. Insurance Binder**

Mr. Chiocca provided copies of the cover letter and binder to the BOS and informed them the town saved \$34K over last year and \$70K over the FY09 appropriated amount. We also increased coverage in some categories.

**27. Vehicle**

Mr. Chiocca informed the BOS we now have 2 Fire Department surplus vehicles to advertise. Kingston was not interested in purchasing the surplus Ambulance but would accept a gift.

**28. State Primary Warrant**

Mr. Chiocca read the Warrant for the upcoming September State Primary.

**E. CORRESPONDENCE**

**29. Eagle Scout Candidate Ryan Burns- Hydrants in Sept & Oct**

Eagle Scout candidate and his Troop will be painting town's hydrants as his project

**Eric Hart certification** Read Eric Hart's letter of recertification of his MCPPO. Motion by Mr. Chaffee 2<sup>nd</sup> by Ms. O'Brien to appoint Mr. Hart Assistant Chief Procurement Officer. Approved 4-1 Zupkofska opposed.

**2 Thank You letters from Melinda Learning**

Letters thanking the BOS and Peter Ewell of the Park Department

**VFW Notices**

2 letters regarding upcoming "Military Show and Kareoke Nite"

**F. SELECTMAN'S COMMENTS**

*Ms. O'Brien* congratulated the Esten School for coming in 2<sup>nd</sup> place and winning \$2500.00 from Big Lots. She also thanked Robert Baker for 22 years of service to Rockland on the Planning Board and regrets his decision to resign.

*Mr. Chaffee* Congratulated The Rockland Cardinals Amateur baseball team for reaching the finals in their league and congratulated the Rockland Raiders Legion Baseball team for reaching the play-offs for the 1<sup>st</sup> time in 32 years.

*Mr. Zupkofska* stated that if the North Union Street gate is opened then the Weymouth Street gate should be opened as well. He said he is still waiting for a list of those employees with town cell phones. He had a question regarding signatory authority on Selectmen's payroll which was cleared up by Mr. Chaffee.

*Mr. Johnson* on a personal note wished his son and Happy 6<sup>th</sup> Birthday. He also congratulated the Esten School on placing second in the Big Lots competition.

He indicated the Esten School was planning a 40<sup>th</sup> Birthday celebration on September 5<sup>th</sup> and volunteered to represent the BOS at the event. Mr. Johnson said a number of residents had asked about the possibility of the Landfill being open on Sunday. He also asked for someone to replace/repair the “Entering Rockland” sign on Hingham Street.

*Chairman Simpson* commented on Governor Patrick Seaside chat. He spoke about preparation going on regarding the fiscal year 2010 budget. Mr. Simpson spoke about executive session tapes and Mr. Valenzolla. Mr. Simpson asked members to serve on sub-committees to establish Goals and Objectives for heads of departments

## **G. OPEN FORUM**

*Chief Sammon* indicated new windows were received through a grant and installation was nearly complete at the Fire Department. The FD had also purchased new Jaws of Life through the grant. The new Ambulance was now in service. The new billing process was being implemented.

*Mr. Simpson* Bob Corvi of the Highway Dept wanted to mention the new Blue Crosswalks on West Water Street done by Guideline Inc. could be replicated at other places in Rockland if sponsored and the sponsor would be publicized at the site.

*Mr. Chaffee* reminded all that schools open before the Labor Day Week-end on Aug 27.

*Mr. Simpson* indicated the next meeting would be on Tuesday September 2, 2008

## **H. EXECUTIVE SESSION**      See Executive Session notes

### **30. Executive Session for Collective Bargaining**

Motion by Mr. Chaffee 2<sup>nd</sup> by Mr. Zupkofska for the BOS to go into Executive Session for purposes of collective bargaining with the intent to adjourn when Executive Session ends. Roll Call vote 5-0.

Allan R. Chiocca  
Town Administrator

James F. Simpson  
Chairman, Board of Selectmen

***Note: Open Meetings are recorded by local cable WRPS and are considered the official record of BOS Open Meetings.***